

CHAPTER 15

STANDARDS, PROGRAMS, AND SUBSTANCES REGULATED BY THE DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

H.F. 458

AN ACT providing for the department of agriculture and land stewardship's administration of programs regarding a conservation practices revolving loan fund, the state metrologist, pesticide regulation, and motor fuel standards, and including effective date provisions.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I SOIL AND WATER CONSERVATION DISTRICTS

Section 1. Section 161A.71, subsection 1, Code 2013, is amended to read as follows:

1. The division may establish a conservation practices revolving loan fund composed of any money appropriated by the general assembly for that purpose, and of any other moneys available to and obtained or accepted by the committee from the federal government or private sources for placement in that fund. Except as otherwise provided by subsection 3, the assets of the conservation practices revolving loan fund shall be used only to make loans directly to owners of land in this state for the purpose of establishing on that land any new permanent soil and water conservation practice which the commissioners of the soil and water conservation district in which the land is located have found is necessary or advisable to meet the soil loss limits established for that land. A loan shall not be made for establishing a permanent soil and water conservation practice on land that is subject to the restriction on state cost-sharing funds of section 161A.76. Revolving loan funds and public cost-sharing funds ~~shall not~~ may be used in combination for funding a particular soil and water conservation practice. Each loan made under this section shall be for a period not to exceed ten years, shall bear no interest, and shall be repayable to the conservation practices revolving loan fund in equal yearly installments due March 1 of each year the loan is in effect. The interest rate upon loans for which payment is delinquent shall accelerate immediately to the current legal usury limit. Applicants are eligible for no more than ~~ten~~ twenty thousand dollars in loans outstanding at any time under this program. "*Permanent soil and water conservation practices*" has the same meaning as defined in section 161A.42 and those established under this program are subject to the requirements of section 161A.7, subsection 3. Loans made under this program shall come due for payment upon sale of the land on which those practices are established.

DIVISION II WEIGHTS AND MEASURES

Sec. 2. Section 213.1, Code 2013, is amended to read as follows:

213.1 State metrologist.

The department ~~shall~~ may designate one of its assistants to act as state metrologist of weights and measures. All weights and measures sealed by the state metrologist shall be impressed with the word "Iowa."

DIVISION III MOTOR FUEL STANDARDS

Sec. 3. Section 214A.1, subsection 23, Code 2013, is amended to read as follows:

23. "*Standard ethanol blended gasoline*" means ethanol blended gasoline for use in gasoline-powered vehicles ~~other than~~ not required to be flexible fuel vehicles, that meets the requirements of section 214A.2.

Sec. 4. Section 214A.2, subsection 2, paragraphs a and b, Code 2013, are amended by striking the paragraphs.

Sec. 5. Section 214A.2, subsection 3, paragraph b, subparagraph (2), Code 2013, is amended to read as follows:

(2) Gasoline blended with ethanol must meet ~~any of the following requirements: requirements established by rules adopted in part or in whole based on~~

- ~~(a) For the gasoline, A.S.T.M. international specification D4814.~~
- ~~(b) For the ethanol blended gasoline, A.S.T.M. international specification D4814.~~
- ~~(c) For the gasoline, A.S.T.M. international specification D4814 except for distillation, if, for E-10 or a classification below E-10, the ethanol blended gasoline meets the requirements of A.S.T.M. international specification D4814.~~

Sec. 6. Section 214A.2, subsection 3, paragraph b, subparagraph (4), Code 2013, is amended to read as follows:

(4) For standard ethanol blended gasoline, it must be ethanol blended gasoline classified as any of the following:

- (a) From E-9 ~~or E-10~~ to E-15, if the ethanol blended gasoline meets the standards for that classification as otherwise provided in this paragraph "b".
- (b) Higher than ~~E-10~~ E-15, if authorized by the department pursuant to approval for the use of that classification of ethanol blended gasoline in this state by the United States environmental protection agency, by granting a waiver or the adoption of regulations.

Sec. 7. Section 214A.7, Code 2013, is amended to read as follows:

214A.7 Department inspection — samples tested.

The department shall, from time to time, make or cause to be made tests of any motor fuel or biofuel which is being sold, or held or offered for sale within this state. A departmental inspector may enter upon the premises of a dealer and take from any container a sample of the motor fuel or biofuel, not to exceed ~~sixteen fluid ounces~~ one gallon. The sample shall be sealed and appropriately marked or labeled by the inspector and delivered to the department. The department shall make, or cause to be made, complete analyses or tests of the motor fuel or biofuel by the methods specified in section 214A.2.

Sec. 8. Section 214A.16, subsection 1, Code 2013, is amended to read as follows:

1. *a.* If ethanol blended gasoline is sold from a motor fuel pump, the motor fuel pump shall have affixed a decal identifying the ethanol blended gasoline.

b. If the motor fuel pump dispenses ethanol blended gasoline classified as E-11 to E-15 for use in gasoline-powered vehicles not required to be flexible fuel vehicles, the motor fuel pump shall have affixed a decal as prescribed by the United States environmental protection agency.

c. If the motor fuel pump dispenses ethanol blended gasoline classified as higher than standard ethanol blended gasoline pursuant to section 214A.2, the decal shall contain the following notice:

FOR FLEXIBLE FUEL VEHICLES ONLY.

b. d. If biodiesel fuel is sold from a motor fuel pump, the motor fuel pump shall have affixed a decal identifying the biodiesel fuel as provided in 16 C.F.R. pt. 306.

Sec. 9. REPEAL. Section 214A.9, Code 2013, is repealed.

DIVISION IV
PESTICIDE REGULATION

Sec. 10. Section 206.13, subsection 2, Code 2013, is amended to read as follows:

2. The amount of the evidence of financial responsibility as provided for in this section shall be not less than ~~two one hundred fifty~~ one hundred fifty thousand dollars for property damage and public liability insurance, each separately, or liability insurance with limits of one hundred thousand dollars per occurrence and three hundred thousand dollars annual aggregate. The evidence of financial responsibility shall be maintained at not less than that amount at all times during the licensed period. The department shall be notified ten days prior to any reduction in the surety bond or liability insurance made at the request of the applicant or cancellation of the surety bond by the surety or the liability insurance by the insurer. The department

shall be notified ninety days prior to any reduction of the amount of the irrevocable letter of credit at the request of the applicant or the cancellation of the irrevocable letter of credit by the financial institution. The total and aggregate liability of the surety, insurer, or financial institution for all claims shall be limited to the face of the surety bond, liability insurance policy, or irrevocable letter of credit.

Sec. 11. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 28, 2013